

REMARKS

Claims 1-45 are pending. Of those, claims 1, 18, 19 and 20 are independent. By this reply, claims 48-45 have been added.

§103 Rejection Based Upon Kadyk et al. Patent

Beginning on page 2 of the Office Action, claims 1-37 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,930,399 to Kadyk et al. (the '399 patent) in view of U.S. Patent No. 6,014,616 to Kim (the '616 patent). Applicant traverses.

More particularly, e.g., in terms of independent claim 1, the Examiner asserts that the '399 patent discloses all of the claimed steps except for the identifying and converting step. However, the Examiner believes that these steps are disclosed by the '616 patent, and further asserts that one of ordinary skill in the art would have been motivated to modify the '399 patent according to the '616 patent and in so doing render obvious claim 1. Again, Applicant traverses.

The '399 arises in the context of an enhanced portable paging device (also known as a pager). Pagers typically have displays in which only a few lines of an alphanumeric message are formed from a printable subset of the ASCII character set (historically capable of being printed); see column 1, lines 29-33. Such a display cannot reasonably be interpreted as a video screen. The enhanced pager should be able to display the full ASCII character set, i.e., not merely the printable subset of ASCII characters; see column 1, lines 40-54, especially lines 51-54.

In operation, a technique according to the '399 patent encodes ASCII characters that are not members of the printable subset as follows. A byte of data within a set of input data is characterized at decision block 90 of the flow chart of Fig. 4. In the '399 patent, the notation for representing a byte of hexadecimal data is represented by a string of 3 alphanumeric characters. The first two characters can be selected from the digits 0-9 and the alphabetic characters A-F, in typical hexadecimal fashion. The third character is always the letter H. See e.g., column 5, lines 11-13 and the example in column 7, lines 20-26.

At decision block 90, it is determined whether the current byte represents an ASCII character that falls within any of the unprintable ranges A, B and C of ASCII characters, defined in the Table of Fig. 3. If so, then flow proceeds to block 94, where the otherwise unprintable ASCII character is encoded in terms of printable ASCII characters.

The Examiner has asserted that the extracting step of present claim 1 corresponds to lines 45-51 of column 2 of the '399 patent, which is reprinted as follows for the reader's convenience (underlined emphasis added).

One of the characters from the subset of characters^[1] is selected as a compressed block signal indicator character to indicated where each block of the compressed data occurs within the encoded data. The compressed block signal indicator character is also encoded by replacing the nibbles comprising its hexadecimal value with the encoding characters assigned to encode those nibbles.

In the above-quoted passage, Applicants acknowledge that the words "indicator" appears. But the context in which the word indicator arises in the above-quoted passage of the '399 patent is irrelevant to the use of the word "indicators" e.g., in Applicant's claim 1.

The extracting step of claim 1 recites: "Extracting groups of non-text data, representative of said plurality of indicators, respectively[.]" In the '399 patent, Applicant will assume for the sake of argument that there is one and only one indicator which gets translated, not a plurality of indicators. Hence the claimed plurality of indicators is a distinction over the '399 patent.

Moreover, claim 1 recites translating the extracted groups of non-text data into groups of text data. The translation taught by the '399 patent (according to the above-quoted passage relied upon by the Examiner) translates unprintable ASCII character into a code formed of printable ASCII characters. In other words, the '399 teaches translating a first arrangement of ASCII characters into a second arrangement of ASCII

¹ The subset is defined earlier in column 2, at lines 19-20, as follows: "A plurality of encoding characters from the subset of characters permitted to be transmitted is selected, and each of the plurality of encoding characters is assigned to encode a different hexadecimal digit." The context of the '399 patent makes clear that the phrase "characters permitted to be transmitted" refers to the printable subset of ASCII characters.

characters. ASCII characters cannot reasonably be considered both non-text data as well as text data, rather it's got to be one or the other. As such, it is unreasonable to interpret translation of non-printable ASCII characters into a code represented by printable ASCII characters as translation of non-text data into text data. Hence, the claimed translation is another distinction over the '399 patent.

To summarize, in addition to the distinction of claim 1 over the '399 patent acknowledged by the examiner, Applicants submits that other distinctions over the '399 patent include the following: extracting groups of non-text data, as contrasted with extracting a byte of ASCII data; the extracted groups of non-text data representing a plurality of indicators, respectively, as contrasted with one (arguendo) indicator; and translating the extracted groups of non-text data into groups of text data, whereas the '399 patent teaches translating a first arrangement of ASCII data into a second arrangement of ASCII data.

As to the '616 patent, Applicant traverses the Examiner's assertion of correspondence between and lines 1-25 of column 3, where lines 1-9 are reprinted as follows for the reader's convenience.

When the operating system detects signals from the keyboard, it first checks to determine whether the signals represent a language conversion command. If the operating system determines that the language conversion command has been given, the operating system returns to the step of reading language data, except that the operatin, [sic, operating] system now reads data for the new language and also changes [sympathetically] the color of the cursor to the color indicative of the second language.

Applicant presumes that the Examiner finds correspondence between the cursor of the '616 patent and the desired indicator of the identifying step of claim 1. The identifying step of claim 1 recites identifying one of the groups of text data as corresponding to the desired indicator. Applicant will assume for the sake of argument that the above-quoted passage suggests identifying when a language conversion command has been given, i.e. when an event has occurred. That is different than identifying one from among multiple groups of text data.

As to the '616 patent, Applicant traverses the Examiner's assertion of correspondence between it and, e.g., the identifying and converting steps of claim 1. More particularly, the Examiner asserts that the converting step corresponds to lines 56-61 of column 4 which is reprinted as follows for the reader's convenience.

As such, each color corresponds to a set of language data stored in the IME^[2]. These data sets are used to translate signals from the keyboard into appropriate linguistic characters, thus allowing a user to generate documents utilizing text from many languages with increased efficiency. The selection of colors that are indicative of particular languages can be changed by user using a keyboards settings program that can be added to the control panel. The color of the cursor can also be changed by clicking on language conversion button 22. The language indication symbol on button 22 has the same color as cursor 15.

The above-quoted passage of the '616 patent teaches that there are different sets of language data store in the IME, and that there are different colors of the cursor that are used to indicate sympathetically which of the sets of language data correspond to the currently selected language data. In the '616 patent, the cursor's color reflects the selected language data. This is different than a resultant text variable reflecting the desired indicator. A distinction of claim 1, over the '616 patent is converting the identified group of text data into a set of text variables having values representative of the characteristics of the desired indicator.

Applicant submits that each of the steps of identifying and converting as recited in claim 1, represent a distinction over the '616 patent.

In view of the foregoing discussion, the § 103 rejection over claim 1 over a combination of the '399 patent and the '616 patent is improper. Claims 2-17 dependently stem directly from claim 1, respectively, and share at least the above-discussed distinctions of claim 1 by dependency.

Each of independent claims 18, 19 and 20 recite features similar to the distinctions over the combination of the '399 and '616 patents noted above. Claims 21-37 depend and stem directly from claim 20, respectively, and share at least its distinctions of over the culminations over the '399 and '616 patents by dependency.

In view of the foregoing discussion, § 103(a) rejection of claims 1-37 however the combination of the '399 and '616 patents is improper and Applicant requests that it be withdrawn.

NEW CLAIMS 38-45.

Again by this reply, claims 38-45 have been added. Claims 38-45 depend from independent claims 1, 18, 19 and 20 at least indirectly, respectively. As such, claims 38-45 share the distinctions of claims 1 and 18 – 20 at least by dependency, respectively.

CONCLUSION

The issues in the case were considered to be resolved. Accordingly, Applicant again requests a Notice of Allowability.

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² The acronym IME is for the phrase “Input Method Editor.” See column 1, lines 42-43.

Person to Contact

In the event that any matters remain at issue in the application, the Examiners are invited to contact the undersigned at (703) 668-8000 in the Northern Virginia area, for the purpose of a telephonic interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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